

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

July 7, 2003
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Denis Anderson, Nancy Houlahan, Rick Fagerlie and Jim Dokken; Present 7, Absent 2 – Council Member David Chapin was excused from the meeting and Bruce DeBlieck was excused and would arrive later.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Assistant Engineer Brian Bollig, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Proposed additions to the agenda included a letter to the Willmar Area Senior Citizens

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 16, Municipal Utilities Commission Minutes of June 23, Planning Commission Minutes of June 25, Housing and Redevelopment Authority Minutes of June 10, Senior Citizens Committee Minutes of July 2, 2003; and Application for Exempt Permit, West Central Ducks Unlimited. Council Member Christianson seconded the motion, which carried.

At 7:04 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the issuance of \$600,000 General Obligation Improvement Bonds, Series 2003A and the Levying of Taxes to secure Payment Therefore. Al Erickson representing Springsted bond consultants, presented to the Mayor and Council details of the proposed bonds used to fund the 2003 Street and Other Improvements Project.

There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:05 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Authorizing the issuance of \$600,000 General Obligation Improvement Bonds, Series 2003A and the Levying of Taxes to secure Payment Therefore. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 1

**RESOLUTION PROVIDING FOR THE COMPETITIVE NEGOTIATED
SALE OF \$600,000 GENERAL OBLIGATION
IMPROVEMENT BONDS, SERIES 2003A**

(For Resolution in its entirety, see City Council Proceedings dated
July 7, 2003, located in the City Clerk's Office)

At 7:06 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the issuance of \$1,560,000 General Obligation Revenue Waste Treatment Plant Refunding Bonds, Series 2003B, the Levying of Taxes and entering into Certain Covenants with the Holders of Such Bonds Relating to Rates Charged for the City's Services by Municipal Utilities. Al Erickson representing Springsted bond consultants, presented to the Mayor and Council details of the proposed bond sale refunding the G.O. Revenue Waste Treatment Plant Refunding Bonds, Series 1994A.

There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:07 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Authorizing the issuance of \$1,560,000 General Obligation Revenue Waste Treatment Plant Refunding Bonds, Series 2003B, the Levying of Taxes and entering into Certain Covenants with the Holders of Such Bonds Relating to Rates Charged for the City's Services by Municipal Utilities. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

RESOLUTION NO. 2

RESOLUTION PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$1,560,000 GENERAL OBLIGATION REVENUE WASTE TREATMENT PLANT REFUNDING BONDS, SERIES 2003B

(For Resolution in its entirety, see City Council Proceedings dated
July 7, 2003, located in the City Clerk's Office)

At 7:11 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Ordinance No. 1060 to Rezone Certain Property. Planning and Development Services Director Peterson informed the Mayor and Council that it is proposed that certain lands south and west of 19th Avenue and 15th Street Southwest be rezoned from R-2, One and Two-Family Residential, to LB, Limited Business. New development is proposed to include medical/professional uses. It was noted the Planning Commission recommends the rezoning as proposed. There being no one to present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:12 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Amending Ordinance No. 1060 to Rezone Certain Property. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Amy Corneil, Willmar Fests Board President, and Shane Johnson, Vice President, appeared before the Mayor and Council to introduce the Willmar Fests Royalty: Queen of Festivals Kelleigh Tegels Nelson, Aqua Princess Kari Hawes, and International Princess Chelsey Conway. Ms. Corneil briefed the Council on the fiscal outlook of Willmar Fests and 2003 changes made to improve the festivals and meet new fiscal challenges. The Mayor congratulated the Willmar Fests Board and all their volunteers on a successful summer festival.

Council Member DeBlieck arrived at 7:26 p.m.

Mayor Heitke acknowledged Steve Gardner who had signed up to address the City Council during its scheduled Open Forum. Mr. Gardner was opposing the Transient Merchant Ordinance under discussion in the Community Development Committee. Mr. Gardner was advised that the issue would be dealt with later in the meeting.

The Finance Committee Report for June 30, 2003, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 YMCA Executive Director, Jeff Filipek, appeared before the Committee to request the City write off outstanding special assessments on a piece of property that the YMCA intends to buy. The property has eight years of assessments remaining, totaling \$5,975.22.

After brief discussion, Mr. Filipek was instructed that this item will be placed on the July 14, 2003, agenda for further discussion. This matter was for information only.

Item No. 2 The Committee discussed the Lee-Don Addition special assessments for the 1990 Sewer & Water Project, 1991 Street Paving Project, and the 1991 Storm Sewer District caused the property to fall into tax forfeiture and subsequently off the tax rolls. Staff calculated the declining balance using useful life ratios and found developers willing to purchase the property with a 45 percent reduction in special assessment amounts. Staff is recommending a 45 percent blanket reduction in the listed amounts to aid city efforts in adding the properties back on the tax rolls.

The Committee was recommending to the Council to approve the 45 percent blanket reduction in special assessments in the Lee-Don Addition when the properties are sold and the assessments are recalculated for reassessment.

Council Member Anderson moved to approve the recommendation of the Finance Committee with council member Fagerlie seconding the motion, which carried.

Item No. 3 The Committee reviewed premium quotes to change current deductibles of \$25,000 per occurrence / \$100,000 aggregate annual cap / \$1,000 per occurrence to a new level of \$100,000 per occurrence / \$100,000 aggregate annual cap / \$1,000 per occurrence thereafter. This would result in a premium savings of an estimated \$30,000.

The Committee was recommending to the Council to change the deductible level from \$25,000 to \$100,000. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 4 The Committee discussed with members from the Blue Line Club their offer of the Blue Line Center and a \$200,000 cash commitment over a ten-year period if the City would commit to the installation of artificial ice. Blue Line members presented a desire of the Club to have artificial ice by this fall or not later than the 2004 season.

The Committee was recommending to the Council to refer the BLC request to the Mayor for consideration in the 2004 Budget process. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 5 Staff presented to the Committee for consideration a recommendation for a 3 percent wage adjustment for the LELS (Police) bargaining group for calendar year 2003. This would

be in line with all other bargaining groups in the City for 2003.

The Committee was recommending to the Council approval of the wage adjustments to the LELS Contract as presented. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 6 The Committee reviewed the May Rice Trust Finance, and 2003 North Central Utility reports. This matter was for information only.

Item No. 7 The Committee continued to review and comment on the 2004 Budget process and information available at this time. This matter was for information only.

The Finance Committee Report for June 30, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for July 1, 2003, was presented to the Mayor and Council by Council Member Reese. There were eight items for Council consideration.

Item No. 1 Staff informed the Committee of the recent law passed by the legislature allowing bars to remain open until 2:00 a.m. The law states that if City ordinance does not specify a closing time and refers to Minnesota Statute as Willmar's does, the 2:00 a.m. closing applies. Local liquor license holders were contacted by staff and no interest was expressed by liquor establishments to apply for the extended hour. Based on conversations with license holders, staff recommends the City Attorney draft an amendment to the ordinance specifying a 1:00 a.m. closing time for Willmar.

The Committee was recommending to the Council to instruct the City Attorney to draft an amendment to the City's liquor ordinance specifying the 1:00 a.m. closing time, and that the proposed ordinance be introduced on July 21, 2003 and scheduled for hearing on August 4, 2003 City Council meeting. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried.

Item No. 2 The Committee reviewed a proposed ordinance, which allows law enforcement to issue administrative citations for certain petty misdemeanor offenses and municipal code violations. Individuals cited under this ordinance would pay an administrative penalty to the City instead of District Court. Violators who fail to pay the administrative penalty within the required time would be issued a District Court Summons.

The Committee was recommending to the Council to approve the draft ordinance as presented and introduce it for hearing. Council Member Anderson moved to introduce an Ordinance Establishing a Procedure for Enforcing Administrative Penalties for Certain Petty Misdemeanors and Municipal Code Violations and schedule a hearing for July 21, 2003. Council Member DeBlieck seconded the motion, which carried.

Item No. 3 The Committee discussed the issue of public safety and uncontrolled intersections. Staff presented research including a map of controlled intersections vs. uncontrolled intersections and accident statistics from 2002. It was noted that of the eighteen (18) intersections with five (5) or more accidents, seventeen (17) were controlled. Overall, 48.5% of the City's intersections are presently controlled. It was the consensus of the committee after reviewing the information, that no action be taken. This matter was for information only.

Item No. 4 The Committee continued discussion from the previous Council meeting relating to the cost proposal submitted by Bonestroo and Associates for engineering services to design and construct replacement of the last RBC's at the Wastewater Treatment Plant. Bonestroo revised their initial proposal of \$37,000 to \$26,114 plus 10 percent for unforeseens and \$3,000 for reimbursables. The Committee discussed the cost breakdown for services and staff recommended acceptance of the proposal on an hourly basis with a not-to-exceed figure.

The Committee was recommending to the Council to accept the proposal with Bonestroo as presented and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

Whereas the City of Willmar desires to retain a consultant to provide professional engineering services to design and construct replacement of the last RBCs at the Wastewater Treatment Plant for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Bonestroo and Associates, of St. Paul, Minnesota for \$26,114 plus 10 percent for unforeseens and \$3,000 for reimbursables for a not to exceed figure of \$31,725 for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 7th day of July, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee considered the final payment to Vreeman Construction of Clara City for construction of the walk path from the Flags of Honor Park north to the intersection of First Street and Civic Center Drive. The total project cost was under the contract amount, and staff recommends acceptance of the project.

The Committee was recommending to the Council to accept the project and authorize final payment. Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NUMBER: 0107
IMPROVEMENT: Flags of Honor Walk Path

CONTRACTOR: Vreeman. Const. Inc.

DATE OF CONTRACT:	9-16-02
BEGIN WORK:	9-16-02
COMPLETE WORK:	5-8-03
APPROVE, CITY ENGINEER:	5-30-03

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said Project No. 0107 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$31,572.50
Change Orders No. (none)	
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$31,572.50
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$22,528.44
Less Previous Payment #1	\$18,656.51
FINAL PAYMENT DUE CONTRACTOR:	\$3,871.93

Dated this 7th day of July, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee considered requests from Staff to apply in conjunction with Kandiyohi County for a grant to purchase four one-hour SCBAs. The grant is from the Minnesota Division of Emergency Management and is a 75/25 cost split. The City's share of \$4,000 would be from the 2003 Fire Department Budget.

The Committee was recommending to the Council approval of the grant application as presented. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar to approve an application for and the acceptance of a grant with the Minnesota Division of Emergency Management in cooperation with Kandiyohi County for funds to purchase four (4) one-hour SCBA equipment for the Willmar Fire Department.

Dated this 7th day of July, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Staff requested permission to apply for a grant for one of fifteen decontamination trailers to be located throughout the State of Minnesota. Willmar as a member of the Lake Region Fire Department Association is in a favorable position to receive a trailer. The City would be responsible to maintain and house the trailer along with transporting it to locations as requested by emergency personnel. The Lake Region Fire Department Association will cover the annual insurance costs

The Committee was recommending to the Council approval of the grant application as presented. Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the City Council of the City of Willmar to approve an application for and the acceptance of a grant with the Minnesota Department of Emergency Management for funds to purchase one decontamination trailer for the Willmar Fire Department.

Dated this 7th day of July, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee considered a request from Knutson Construction to close Second Street SW for two separate seven-day periods. The first closure is at the south end of the street starting July 8 for 7-10 days to cut utility trenches. Following that, the north end will be closed for 7-10 days for additional utility work.

The Committee was recommending to the Council approval of the street closures as needed. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried.

Item No. 8 Staff updated the Committee on the June 24th storm damage and reported that many Public Works and WTP staff members worked additional hours to control the flooding at various locations throughout the community. Staff is currently focusing sump pump inspections in the southwest area of the City.

The Committee was informed by staff that Assistant City Engineer Bollig will be conducting a tour of the biofilter construction on Monday, July 7 at 9:00 a.m. for any interested members. This matter was for information only.

The Public Works/Safety Committee Report for July 1, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese,

seconded by Council Member Fagerlie, and carried.

Community Development Committee Report of July 2, 2003, was presented to the Mayor and Council by Council Member DeBlieck. There were six items for Council consideration.

Item No. 1 The Committee met with members of the Kandiyohi County Board of Commissioners to discuss future involvement by the City and County in the ownership of the Willmar Regional Treatment Center. The State of Minnesota Department of Administration has stated their intent to sell the Willmar Regional Treatment Center property, both the campus and the land west of Highway 71/23.

County Board Chair Larson said the County had an interest in ownership. He suggested that three County Board Members and three City Council Members meet with representatives of the Willmar Regional Treatment Center Task Force to discuss options.

One option is to offer \$1.00 for the 60 acres west of the highway to be held for public use. Another option is to pay the \$260,000 appraisal price and resell it at a profit to help offset the cost of the Willmar Regional Treatment Center campus.

County Administrator Thompson suggested that one organization needs to gather information and run the numbers to determine ownership feasibility. City Administrator Schmit said that it would be a good task for the new joint Economic Development Commission, led by the new Economic Development Director.

The Committee was recommending to the Council that staff draft a letter to the State requesting that the 60 acres west of Highway 71/23 be removed from the surplus property role. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 The Committee reviewed revised plans for the terminal area at the new airport. Some existing hangars will be relocated to the area southeast of the terminal. FBO's and airport related businesses will locate just northwest of the terminal, and T-hangars will be constructed northwest of the main tarmac area. It was noted that the Airport Commission has given their approval to the revised site plan.

The Committee was recommending to the Council to approve the site plan as presented. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 3 The Committee discussed the Transient Merchant Ordinance which was referred back for additional review. It was the consensus of the Committee that the Ordinance as currently drafted was too broad. Also, that it was too cumbersome to enforce and that it was simply not needed. Several operators of home-based businesses spoke against the ordinance. It was suggested that the definition of transient merchants be changed to better represent community needs. The discussion concluded with no action taken. Council Member Dokken moved to remove the proposed Ordinance from the table pursuant to the hearing held on June 16, 2003. Council Member Fagerlie seconded the motion which carried. Council Member Dokken offered a motion to adopt, assign a number and order final publications of the ordinance Regulating Peddlers and Transient Merchants in the City of Willmar. The motion died for lack of a second.

Item No. 4 Staff presented to the Committee consultant's plans for the Dorothy A. Olson Aquatic Center, as well as the architect's plans for the bathhouse building. The Committee reviewed and discussed the plans.

The Committee was recommending to the Council approval the pool plans and specifications and to call for bids. Resolution No. 7 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 7

WHEREAS the Consulting Engineers for the City of Willmar has presented to the City Council plans and specifications for an Aquatic Center for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 31st day of July, 2003, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 7th day of July, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee reviewed a preliminary budget for the aquatic center project, which is consistent with previous financing discussions. The Committee was recommending to the Council adoption of the preliminary budget. Resolution No. 8 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 8

PRELIMINARY OUTDOOR POOL
PROJECT BUDGET

ESTIMATED TOTAL COST \$1,485,537

*Budget Amounts are Essential

Code

PERSONNEL SERVICES
10* Salaries Reg. Employees
11* Overtime Reg. Employees
12* Salaries Temp. Employees

RECEIVABLES
Property Owners
County
State

13* Employer Pension Contr.		City	
14* Employer Ins. Contr.		City	\$ 285,537.00
TOTAL	\$0.00	Other-Donations	1,200,000.00
		TOTAL	\$1,485,537.00

20*	Office Supplies
21*	Small Tools
22*	Motor Fuels & Lubricants
23*	Postage
24	Mtce. of Equipment
25	Mtce. of Structures
26	Mtce. of Other Improvements
27	Subsistence of Persons
28	Cleaning & Waste Removal
29*	General Supplies
	TOTAL

Bonds	
State	
City	
City	
Other-Donations	1,200,000.00
TOTAL	\$1,485,537.00

OTHER SERVICES		
30	Communications	
31*	Printing & Publishing	\$300.00
32	Utilities	
33*	Travel-Conf.-Schools	
34	Mtce. of Equipment	
35	Mtce. of Structures	
36*	Mtce. of Other Impr.	\$1,280,187.00
37	Subsistence of Persons	
38	Cleaning & Waste Removal	
39*	Other Services	\$88,250.00
	TOTAL	\$1,368,737.00

40	Rents	
41*	Insurance & Bonds	
42	Awards & Indemnities	
43	Subscription/Memberships	
44	Interest	
45	Licenses & Taxes	
46*	Prof. Serv.	\$113,850.00
47*	Advertising	\$500.00
48*	Adm. OH (Transfer)	
49	Other Charges	
	TOTAL	\$114,350.00

Dated this 7th day of July, 2003.

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee considered a proposal to participate with Willmar School District in a demographic study. It is proposed that a consultant be hired at a cost of \$11,000 to prepare the demographic study and enrollment projections for the Willmar School District. Information from this study would be available to the City to use in comprehensive planning. It was requested that the City participate to the extent of \$2,000.

The Committee was recommending to the Council the City participate with the School District in the demographic study to the extent of \$2,000, which is to be paid from the Planning and Development Services budget. Council Member DeBleck moved to approve the recommendation of the Community Development Committee with Council Member Dokken, seconding the motion, which carried.

Item No. 6 The Committee reviewed updates on a variety of projects including the Home Depot, Menards, Mills, Grizzly's, banks, churches, and miscellaneous retail, and residential projects. This matter was for information only.

The Community Development Committee Report for July 2, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBleck, seconded by Council Member Dokken, and carried.

City Administrator Schmit presented to the Mayor and Council for consideration a City/County Economic Development Commission Joint Powers Agreement. The agreement details the Commission comprised of elected officials and the Operations Board comprised a local citizens recommended by the respective governments. Mr. Schmit was recommending approval of the agreement and the appointment of three elected officials to the Commission and identification of three citizens to the Operations Board.

Council Member Anderson offered a motion to approve the City/County Economic Development Commission Joint Powers Agreement as presented with Council Member DeBleck seconding the motion, which carried.

Council Member DeBleck offered a motion to appoint Denis Anderson, David Chapin, and Lester Heitke to the Economic Development Commission. Council Member Fagerlie seconded the motion which carried. Council Member DeBleck offered a motion to recommend Ron Erpelding, Betty Bollig, and Milan Schmiesing to the Economic Development Operations Board. Council Member Anderson seconded the motion which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a request for reapportionment of special assessments for RRR Properties. Mr. Peterson indicated that a portion of the parcel has been platted, thereby necessitating the reapportionment. Following discussion, Resolution No. 9 was introduced by Council Member DeBleck, seconded by Council Member Fagerlie, read by Mayor Heitke and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 9

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all of the parties having an interest in the following-described property:

Section 02, Township 119, Range 35

Government Lot 6 excluding parts platted as First, Second, Third, Fourth and Fifth Additions to Lakewood and also excluding that part of government Lot 6 described as follows: Beginning at the northwest corner of SD Section 11, thence south 399.50 feet, thence easterly 813.75 feet to southwest corner of Third Addition to Lakewood, thence northerly along west line of SD Third Addition to Lakewood, 339.63 feet, thence northerly 70 feet, thence westerly 155 feet, thence northwesterly 169.84 feet, thence westerly 371.22 feet, thence north 270 feet, thence west 199.42 feet to west line of SD Section 2, thence south 316.81 feet to point of beginning.

Parcel No. 95-902-0090

to wit: RRR Properties of Willmar, Inc.

WHEREAS, the above have waived notice of hearing and hearing on said reapportionment; and

WHEREAS, the City Council of the City of Willmar is in agreement that the special assessments totaling \$15,556.05 placed against the above-described parcel be hereby reapportioned as herein described:

<u>Parcel No.</u>	<u>Legal Description</u>	<u>Amount</u>
95-902-0090	Sixth Addition to Lakewood	\$6,377.95 \$9,178.10 or \$9,1781 per lot (10 lots)

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar, pursuant to the request of the above that the special assessments on the above-described property be and they hereby are reapportioned as provided in the request of the above named, and BE IT FURTHER RESOLVED that the reapportionment be recorded in the records of the City of Willmar and the Kandiyohi County Auditor effective for taxes and assessments due and payable on tax statements issued in the year 2004 and thereafter.

Dated this 7th day of July, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a preliminary plat for Lake North Fourth Addition, an eight-lot replat of four single-family lots. It was noted this plat will complete the twin-home PUD developed by Carlson Construction and the Planning Commission has approved of the plat. Following discussion, Council Member DeBlieck moved to approve the preliminary plat for Lake North Fourth Addition. Council Member Anderson seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a preliminary plat for Country Inn Addition, a one-lot plat being developed for the

County Inn and Suites Project. It was noted the Planning Commission has approved of the plat. Following discussion, Council Member Fagerlie moved to approve the preliminary plat for Country Inn Addition. Council Member Dokken seconded the motion, which carried.

City Clerk Halliday informed the Mayor and Council that Ringneck Restaurants Inc., under the trade name of Grizzly's Grill and Saloon, has applied for an on-sale liquor license and a Sunday liquor license. It was noted the Police Chief and City Attorney have reviewed and approved the necessary documents. Owner Peter Poepping appeared before the Council to answer questions regarding the number of staff and managers employed and potential start up dates. Following discussion, Council Member Reese moved to approve the on-sale and Sunday liquor licenses for Grizzly's Grill and Saloon. Council Member DeBlieck seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Mayor Heitke read a letter addressed to the Willmar Area Senior Citizens thanking them for the voluntary increase in annual rent from \$2,500 to \$3,000. The club has made a three year commitment at the increased amount.

There being no further business to come before the Council, the meeting adjourned at 9:10 p.m. upon motion by Council Member Houlahan, seconded by Council Member Christianson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL